

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DARRYL PHELPS,

Petitioner,

-against-

SUPERINTENDENT, *Gouverneur  
Correctional Facility*,

Respondent.

20 Civ. 10352 (KPF)

**ORDER**

KATHERINE POLK FAILLA, United States District Judge:

The Court is in receipt of Mr. Phelps's further letters of May 31 and June 10, 2024 (Dkt. #51-53). The Court wishes to remind Mr. Phelps that this case is closed, and this Court is unable to provide Mr. Phelps with any assistance or relief regarding his current incarceration or the charges underlying it.

As with Mr. Phelps's April 10, 2024 letter (Dkt. #45) and April 22, 2024 letter (Dkt. #47), the Court understands Mr. Phelps's May 31 and June 10, 2024 letters as requests related to Mr. Phelps's 2022 indictment, #70006-22, and subsequent 2023 conviction, stemming from conduct committed in 2021. The case before this Court concerns Mr. Phelps's 1997 indictment, #10513-97, and subsequent 1998 conviction. Proceedings in this matter concluded on March 28, 2022, when the Court entered an Order (Dkt. #44) dismissing the case as moot, in view of Mr. Phelps's release from custody after a period of imprisonment on his 1998 conviction. Because this case relates only to Mr. Phelps's 1998 conviction, there is no basis for this Court to review any

challenge to Mr. Phelps's 2023 conviction (or related imprisonment) in the context of this case.

The Clerk of Court is directed to send a copy of this order to Mr. Phelps at the following address:

Darryl Phelps (23-B-1088)  
Elmira Corr. Fac.  
P.O. Box 500  
Elmira, NY 14902-0500

SO ORDERED.

Dated: June 13, 2024  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

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KATHERINE POLK FAILLA  
United States District Judge